

CHAPTER NO. 743

SENATE BILL NO. 3099

By Jordan, Atchley

Substituted for: House Bill No. 2885

By Newton, McDaniel

AN ACT To amend Tennessee Code Annotated, Section 40-28-115 and Section 40-35-501, relative to the eligibility for parole.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-28-115, is amended by adding the following language as new subsection (h):

(h) The Department of Correction shall not certify an inmate for a parole grant hearing, other than an initial grant hearing, if, at the time the department would otherwise have certified the inmate as eligible, the inmate is classified as close custody. Such decertification shall continue for the duration of such classification, and for a period of one (1) year thereafter.

SECTION 2. Tennessee Code Annotated, Section 40-28-115, is further amended by adding the following language as new subsection (i):

(i) The Department of Correction shall not certify an inmate for a parole grant hearing, other than an initial grant hearing, if, at the time the department would otherwise have certified the inmate as eligible, the inmate is classified as maximum custody. Such decertification shall continue for the duration of such classification, and for a period of two (2) years thereafter.

SECTION 3. Tennessee Code Annotated, Section 40-35-501, be amended and the same is hereby amended by making a new subsection (L)(1) and renumbering subsequent subsections accordingly:

(L)(1) The Department of Correction shall not certify an inmate for a parole grant hearing, other than an initial grant hearing, if, at the time the department would otherwise have certified the inmate as eligible, the inmate is classified as close custody. Such decertification shall continue for the duration of such classification, and for a period of one (1) year thereafter.

SECTION 4. Tennessee Code Annotated, Section 40-35-501, is further amended by adding the following language as new subsection (L)(2) and renumbering subsequent subsections accordingly:

(L)(2) The Department of Correction shall not certify an inmate for a parole grant hearing, other than an initial grant hearing, if, at the time the department would otherwise have certified the inmate as eligible, the inmate is classified as maximum custody. Such decertification shall continue for the duration of such classification, and for a period of two (2) years thereafter.

SECTION 5. This act shall become effective on July 1, 1998, the public welfare requiring it.


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

PASSED: April 1, 1998

APPROVED this 15th day of April 1998


DON SUNDQUIST, GOVERNOR